

mate needs of police officials that work in the State law enforcement system. She will also understand the impact of Federal judicial decisions on State prosecutions.

In short, the Judge is uniquely qualified, by intellect, experience, and commitment to the rule of law to be an outstanding—and I repeat, outstanding—member of the court. President Obama, and for that matter the United States, should be proud to see once more the realization of that simple American credo, that in this country a hardworking person with talent can rise from humble beginnings to one of the highest positions in the land.

Thank you, Mr. Chairman, for the opportunity to testify today. Senator CARDIN. Thank you very much for your testimony.

We'll now hear from Wade Henderson, a familiar person to this Committee. Wade Henderson is the president and CEO of the Leadership Conference on Civil Rights and counsel to the Leadership Conference Education Fund. He is a professor of public interest law at the University of the District of Columbia. Prior to his role with the Leadership Conference, Mr. Henderson was the Washington Bureau Director of the NAACP. Mr. Henderson is a graduate from Rutgers University School of Law.

Mr. Henderson.

**STATEMENT OF WADE HENDERSON, PRESIDENT AND CEO,
LEADERSHIP CONFERENCE ON CIVIL RIGHTS**

Mr. HENDERSON. Thank you, Mr. Chairman, Ranking Member Sessions, members of the Committee. I have the privilege of representing the views of the Leadership Conference, the Nation's leading civil and human rights coalition, consisting of more than 200 organizations working to build an America that's as good as its ideals.

This afternoon I will briefly address four of the points that have figured in the debate about Judge Sotomayor's nomination: first, her qualifications for serving on the Nation's highest court; second, her personal background and her empathy for others who have had to work hard to succeed; third, her role in the unanimous ruling by a three-judge panel in the case of *Ricci v. DeStefano*; and fourth, her past membership on the board of one of the Leadership Conference's member organizations, the Puerto Rican Legal Defense and Education Fund.

First, let me rejoice in what is self-evident. The nomination of Judge Sotomayor to be an Associate Justice on our Nation's highest court is a milestone by many standards. The Nation's first African-American President has nominated the first Hispanic-American, only the third woman, and only the third person of color to serve on the Supreme Court. While great challenges remain on our Nation's quest for equal opportunity, we have truly reached an historic marker on the journey toward our goal of "Equal Justice For All", the phrase inscribed not far from here on the front of the Supreme Court building.

But hopeful and historic as her nomination has been, Judge Sotomayor should herself be just not by who she is, but by what she has done. Now, let me be as clear as I can: there is no question that she is qualified. Judge Sotomayor's eloquent and thoughtful testimony before this Committee speaks for itself.

Her distinguished career at Princeton and Yale Law School have been much stated. She then spent 5 years as a prosecutor, as we've heard, in Manhattan, working for the legendary District Attorney Robert Morgenthau—pleased to have him here today—and 8 years as a corporate litigator. Seventeen years as a Federal District Court judge and appellate court judge add up to an individual who is one of the most qualified to have ever come before this Committee.

Second, as with other nominees across the philosophical spectrum, including Justice's Thomas and Alito, Judge Sotomayor has spoken of her family history and her personal struggles. These experiences help her to understand others and to do justice. They further qualify her for the highest court, and she has said and done nothing that could reasonably be understood otherwise.

Third, Judge Sotomayor has participated in thousands of cases and authored hundreds of opinions, but much of the debate about her nomination has concentrated on the difficult case of *Ricci v. DeStefano*. Whatever one may feel about the facts of this case, we all agree that the Supreme Court, in its *Ricci* decision, set a new standard for interpreting Title 7 of the 1964 Civil Rights Act. Using this one decision to negate Judge Sotomayor's 17 years on the bench does a disservice to her record and to this country.

Fourth, I must speak to the attacks on Judge Sotomayor because of her service on the board of one of our Nation's leading civil rights organizations. These attacks do an injustice not only to Judge Sotomayor and to the Puerto Rican Legal Defense and Education Fund, but also to the entire civil rights community and to all those who look to us for a measure of justice.

Make no mistake, legal defense funds play an indispensable role in American life. They are private attorneys general that assist individuals, often those with few resources and no other representation, to become full shareholders in the American dream.

When Justice Thurgood Marshall was nominated there were those who questioned his role with the NAACP Legal Defense Fund, but history does not remember their quibbles kindly. Judge Sotomayor has lived the American dream and she understands all who aspire to it. Her qualifications are unquestioned and the lessons that she has learned in her life, as well as in libraries, will serve her and our country well in the years ahead. All those who walk through the entrance to the Supreme Court seeking what is inscribed above its door, "Equal Justice Under Law", can be confident that a Justice Sotomayor will continue to do her part to keep the promise of our courts and our country.

Thank you very much.

Senator CARDIN. Well, thank you very much—for your testimony.

We'll now hear from Frank Ricci, a name that's been mentioned second only to Sotomayor during this hearing. Frank Ricci has over a decade of experience as a firefighter with the New Haven Fire Department and was a plaintiff in the case of *Ricci v. DeStefano*. He's a contributing author of two books on firefighting.

It's a pleasure to have you before the Committee.